

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 31, 2000

DIVISION ONE

B142374 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Elizabeth M.

The petition is denied.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

B124253 Mitchell (Not for Publication)
v.
Upjohn Company

The judgment and the order imposing sanctions against Attorney Michael D. Mosher are affirmed.

Mallano, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B136477	Wilshire-Doheny Associates, LTD. et al. v. Shapiro et al.	(Not for Publication)
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Those portions of the judgment appealed from are affirmed.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

October 31, 2000-Continued

DIVISION ONE (Continued)

B133192 People (Not for Publication)
v.
Gutierrez

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

DIVISION TWO

B132381 Sherrie Bruins (Not for Publication)
v.
Toys R Us, Inc.

The order of dismissal is reversed. The parties are to bear their own respective costs on appeal.

Nott, J.

We concur: Boren, P.J.
 Todd, J.

B135173 People (Not for Publication)
v.
Hodges

The judgment is affirmed in its entirety. The abstract of judgment is ordered corrected to conform to the oral pronouncement of judgment by striking from it the statement that “Defendant is to pay a restitution fine pursuant to section 1202.4(b) Penal Code in the amount of \$200.00.” A copy of the corrected abstract of judgment shall be forwarded to the Department of Corrections.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

DIVISION TWO (Continued)

B125052 International Diversified Products, Inc. (Not for Publication)
v.
ACISA America, Inc.

The judgment and the order awarding costs are reversed. Plaintiff shall recover costs on appeal.

Cooper, J.

We concur: Nott, Acting P.J.
 Mallano, J. (Assigned)

B130235 People (Not for Publication)
v.
Vogel, Jr.

The judgment as to Count II is reversed, in all other respects the judgment is affirmed.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

B137665 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Ruben E.

The order of December 14, 1999, is modified so as to delete a finding that as to Father the children are dependent pursuant to Welfare and Institutions Code section 300, subdivision (b). Jurisdiction is terminated as to Renau, Gustavo, Jorge, and Marvin. In all other respects, the adjudication and disposition orders are affirmed.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

B133281 City of Alhambra (Not for Publication)
 v.
 City of South Pasadena

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B130242 Tilda DeSousa (Not for Publication)
 v.
 Tony Selzer

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B128565 Sessions Payroll Management, Inc., etc. (Certified for Publication)
 v.
 Noble Construction Company, Inc.

The order awarding attorney fees is reversed. The cross-appeal of Noble Construction Company, Inc. is dismissed. Costs on appeal to plaintiff Sessions Payroll Management, Inc.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION THREE (Continued)

B127096 People
v.
McGee

Filed order vacating submission order of July 31, 2000. Due to the press of other court business and the complexity of the issues in this case, additional time is needed to complete and file the opinion in this matter. Cause resubmitted.

B117940 People (Not for Publication)
B124716 v.
Ware

In Appeal No. B117940, the judgment is modified by imposing a \$10,000 suspended parole revocation fine pursuant to Penal Code section 1202.45. The clerk of the superior court is ordered to prepare an amended abstract of judgment reflecting this modification of the judgment and to reflect the trial court's imposition of a \$10,000 restitution fine pursuant to Penal Code section 1202.4, subdivision (b), as set forth in this opinion and to forward a copy to the Department of Corrections. In all respects, the judgment in Appeal No. B117940 is affirmed. The petition for writ of habeas corpus, No. B124716 is denied.

Aldrich, J.

I concur: Klein, P.J.
I dissent: Kitching, J. (Opinion)

DIVISION THREE (Continued)

[illegible]

The judgment shall be modified: (1) to reflect the \$200 suspended parole revocation fine imposed by the trial court (Pen. Code, 1202.45); and (2) to reflect 192 days actually served and 96 days good time/work time credits, for a total of 288 days presentence custody credit. The clerk of the superior is ordered to prepare an amended abstract of judgment as set forth in this opinion and to forward a copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B120124/ Edward C. and Maggie C. (Not for Publication)
B124210 v.
Danielle C. and Kenyon W.
Adoption of Michael Elijah W., a minor.

Since we find that Mother consented to the adoption of the child, the matter is remanded to the trial court to grant the C's petition for adoption. If the C's petition for adoption was not acted upon, the trial court shall grant the petition. If the C's petition for adoption was dismissed or denied, the trial court shall grant the petition. The trial court shall also enter an order terminating Mother and Father's parental rights. The guardianship shall remain in effect until the adoption is final. Each side to bear its own costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B133391 Artie Hagmueller (Not for Publication)
 v.
 Marianne Hagmueller

The judgment is affirmed. Respondent shall receive her costs on appeal.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

B135216 James L. Krautkramer (Not for Publication)
 v.
 Charleen M. Krautkramer

The portion of the order granting step down provisions in the years 2002 and 2004 is reversed. The order is otherwise affirmed. Costs on appeal are awarded to Charleen.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

DIVISION FIVE

Court convened at 8:00 A.M.

Present: Grignon, Acting P.J., Godoy Perez, J., Weisman, J. (Assigned) and J. Belcher, Deputy Clerk.

B138866 People v. Siuekierka

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B134420 Abdulla Shams
 v.
 Gary L. Yupangco et al.

Merits:
Argued by Brian Irving Glicker for appellants and by Raymond H. Goettsch
for respondent. Cause submitted.

Court recessed at 8:35 A.M.

Court reconvened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B137286 People v. Chambers
B140358 People v. Jack F.
B138965 D.C.F.S. v. Georgia W.
B139108 People v. Mendoza

Argument waived, cause submitted.

B138839 Antoinette Foster
 v.
 City of Glendora

Merits:
Argued by Matthew F. Batezel for appellant and by Nancy P. Doumanian,
deputy city attorney, for respondent. Cause submitted.

B133749 Zavala
 v.
 Roman Catholic Archbishop

Appearances:
There being no appearance by either counsel, the cause submitted.

Court recessed at 9:22 A.M.

DIVISION FIVE (Continued)

Court reconvened at 10:05 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B136833 People v. Santiago
B140815 D.C.F.S. v. Lynette S.

Argument waived, cause submitted.

B133742 Maria D.
 v.
 Westec Security Group

Merits:

Argued by Stanley K. Jacobs for appellant and by Barry A. Bradley for respondent. Cause submitted.

B143015 Tyrone P., et al.
 v.
 Superior Court, Los Angeles County
 (D.C.F.S., r.p.i.)

Merits:

Argued by Tanya K. and Tyrone P. appellants in propria persona and by Stephanie Jo Farrell for real party in interest. Cause submitted.

B140384 Los Angeles County, D.C.F.S.
 v.
 Neal B.
 In re Chardae B., et al.

Merits:

Argued by Sharon S. Rollo for appellant and by Amir Pichavi for respondent. Cause submitted.

Court recessed at 10:55 A.M.

DIVISION FIVE (Continued)

Court reconvened at 11:00 A.M.

Present: Grignon, Acting P.J., Godoy Perez, J., Weisman, J. (Assigned) and J. Belcher, Deputy Clerk.

Each of the following:

B137983 People v. LaCour
B140960 D.C.F.S. v. Darlene O.
B143442 D.C.F.S. v. Ingrid M.

Argument waived, cause submitted.

B130050 People
 v.
 Corey Robinson

Merits:

Argued by Dale Dombkowski for appellant and by Gary A. Lieberman, deputy attorney general, for respondent. Cause submitted.

Court recessed at 11:20 A.M.

Court reconvened at 1:00 P.M.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

B134276 Edita Sumida
 v.
 George Sumida

Merits:

Argued by Vikram Brar for respondent. Appellant waived oral argument. Cause submitted.

DIVISION FIVE (Continued)

B134203 The CIT Group/Sales Financing, Inc.
 v.
 Barton Buhtz et al.

Merits:

Argued by Barton A. Buhtz, appellant in propria persona. John B. Rodgers appeared for respondent and waived argument. Cause submitted.

B135359 California Insurance Guarantee Association
 v.
 Raul Ortega

Merits:

Argued by Stephen S. Monroe for appellant and by Frederick G. Hall for respondent. Cause submitted.

B135118 Service Escrow
 v.
 Wilshire State Bank et al.

Merits:

Argued by Carol A. Newman for appellants and by Stephen S. Monroe for respondent. Cause submitted.

B128542 American Casualty Company of Reading, Pa.
 v.
 The Harvey Entertainment Company

Merits:

Argued by John M. Hamilton for appellant and by Ezra Hendon and Jacqueline Jordan Leung for respondents. Cause submitted.

DIVISION FIVE (Continued)

B131127 Brian Prince et al.
 v.
 Jerry Hammer et al.

Merits:
Appellant did not respond to calendar notices or telephone calls.
Respondent counsel did not appear for argument. Cause submitted.

Court Adjourned at 1:55 P.M.

B139492 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Victoria S.
 In Re Jon'Rene H.

The judgment is affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.
 Godoy Perez, J.

DIVISION SIX

B133285 People (Not for Publication)
 v.
 Williams

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SIX (Continued)

B137875 Harris (Not for Publication)

V.

City of San Buenaventura et al.

Ventura Port District

The judgment is affirmed. Costs are awarded to respondents.

Perren, J.

We concur: Yegan, Acting P.J.

Coffee, J.

B138075 In re Brittany R., et al. (Not for Publication)

The appeal is dismissed.

Perren, J.

We concur: Gilbert, P.J.

Yegan, J.

B135866 San Luis Obispo County (Not for Publication)

Deputy Sheriff's Association

V.

Board of Supervisors of San Luis Obispo County

The judgment is affirmed. Costs to respondent.

Perren, J.

We concur: Gilbert, P.J.

Yegan, J.

October 31, 2000-Continued

DIVISION SIX (Continued)

B136276 Lolley (Not for Publication)
v.
Campbell

The post-judgment order is affirmed. Respondent is awarded costs on appeal.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.